

REMARKS

Claims 7 and 8 remain for consideration in this application.

The Abstract of the Disclosure is objected to because it contains two paragraphs.

Accordingly, attached hereto is a Substitute Abstract of the Disclosure. The Substitute Abstract of the Disclosure now contains only a single paragraph.

The listing of references in the Search Report is not an Information Disclosure Statement.

A Supplemental Information Disclosure Statement was filed on September 27, 2007, enclosing copies of the noted references.

Claims 7 and 8 are rejected under 35 U.S.C. §102(e) as being anticipated by Asou (USP 6,977,450).

One of the inventors in this application, Mr. Toshiyuki ASO (whose name is also written as ASOU) is also an inventor in the primary reference cited in this application, Mr. ASOU. Enclosed is a Declaration by Mr. ASO. As noted, this Declaration indicates that Mr. ASO's name is also written as ASOU. Additionally, Mr. ASO indicates in the Declaration that the '450 patent (ASOU reference) was conceived or invented by him and that the inventorship of the instant application is correct in that the reference discloses subject matter derived from Mr. ASOU (himself) and does not constitute "invention by another" under 35 U.S.C. §102(e). Accordingly, it is submitted that ASOU (the '450 patent) was not invented by another. Thus, the rejection under 35 U.S.C. §102(e) should be withdrawn. Accordingly, it is respectfully requested that the rejection under ASOU be withdrawn in view of the Declaration submitted herewith.

Application No. 10/518,081
Art Unit: 1755

Amendment under 37 C.F.R. §1.111
Attorney Docket No.: 043059

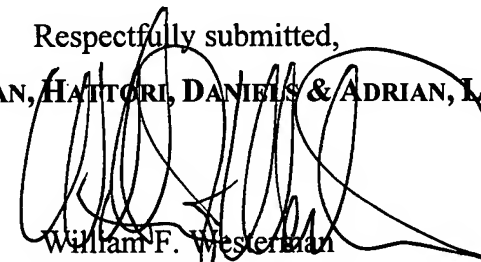
CONCLUSION

In view of the foregoing amendments and accompanying remarks, it is submitted that all pending claims are in condition for allowance. A prompt and favorable reconsideration of the rejection and an indication of allowability of all pending claims are earnestly solicited.

If the Examiner believes that there are issues remaining to be resolved in this application, the Examiner is invited to contact the undersigned attorney at the telephone number indicated below to arrange for an interview to expedite and complete prosecution of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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WFW/dlt

Attachment: Substitute Abstract of the Disclosure
Declaration under 37 CFR §1.132